পঞ্জীভুক্ত নম্বৰ - ৭৬৮ /৯৭ Registered No.-768/97

অসম ৰাজপত্ৰ

সত্যমেব জয়তে

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্ত্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 581 দিশপুৰ, মঙ্গলবাৰ, 9 আগষ্ট, 2022, 18 শাওণ, 1944 (শক)

No. 581 Dispur, Tuesday, 9th August, 2022, 18th Sravana, 1944 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

DEPARTMENT OF HOUSING & URBAN AFFAIRS

NOTIFICATION

The 8th August, 2022

No. UDD (T) 270/2022/4.- Whereas the National Transit Oriented Development (TOD) Policy has stressed on integration of the land use and transport planning for sustainable urban growth along transport corridors and nodes with high density mix use development.

And whereas, Government of India, has identified formulation and implementation of a TOD policy in achieving planned urban development and offers special assistance to states for capital investment (2022-23) on implementation of this policy.

And whereas, the Master Plan of Towns requires to be modified and to include this policy as a tool for urban development within the State of Assam.

Now therefore, in exercise of the power conferred under Section 11(e) read with Section 14 of The Assam Town and Country Planning Act, 1959 and for making necessary inclusion,and modification in the Master Plans of Towns of Assam, the draft Transit-Oriented Development (TOD) policy for the State of Assam is prepared.

Therefore, it is notified that the draft detailed Transit-Oriented Development (TOD) policy prepared under Section 11(e) read with Section 14 is hereby published under Section 10 of The Assam Town and Country Planning Act, 1959

The policy shall extend to the whole of Assam except for areas under Guwahati Metropolitan Areas and areas under Autonomous Districts; provided that if any District Council desires that all or any of the provisions of this policy should apply to the Autonomous District concerned, a notification may be issued to that effect and this policy shall then extend to that Autonomous District subject to such exceptions or modifications as may be specified in the notification.

The detailed policy may be inspected free of cost during office hours at the office of the Director Town and Country Planning, Dispur, and will also be available in website of Office of the Director, Town and Country Planning, website: https://tcp.assam.gov.in. Objections/suggestions from any person are invited with respect to the policy within 10 days from the date of issue of this notification.

Assam State Transit Oriented Development (TOD) Policy

1. Background

1.1. Urbanization has led to horizontal growth of the cities thus creating problems of urban sprawl. This has resulted in increase in trip lengths and higher usage of private vehicles, problems of pollution, and increased demand for infrastructure. To address these issues, many cities have strengthened their public transport by developing mass rapid transit systems (MRTS) such as metro rails and Bus Rapid Transit Systems (BRTS). It is, however, important to efficiently use these systems by integrating the land use with the transport infrastructure to make the cities liveable, healthy and smart.

2. Transit Oriented Development (TOD)

2.1. Transit Oriented Development is essentially any development, macro or micro that is focused on the integration of land use and transport planning and aims to develop planned sustainable urban growth centres, having walkable and liveable communes with high density mixed land-use. Citizens have access to open green and public spaces and at the same time transit facilities are efficiently utilised.

2.2. TOD increases the accessibility of the transit stations by creating pedestrian and Non-Motorised Transport (NMT) friendly infrastructure that benefits large number of people, thereby increasing the ridership of the transit facility and improving the economic and financial viability of the system. Since the transit corridor has mixed land-use, where the transit stations are either origin (housing) or destination (work), the corridor experiencing peak hour traffic in both directions would optimize the use of the transit system.

2.3. The primary goals of TOD are to –

(i) Reduce/discourage private vehicle dependency and induce public transport use – through design, policy measures and enforcement.

(ii) Provide easy public transport access to maximum number of people within walking distance – through densification and enhanced connectivity.

3. TOD Zones

3.1. In order to ensure optimum utilization of scarce land resources and to provide opportunities for restructuring through Mixed Land-use along the Mass Transit corridors, Transit Oriented Development (TOD) will be allowed. TOD Zones will be the area in immediate vicinity of the mass transit stations, i.e. within a walking distance and also well integrated

with bicycle, feeder and transit networks. TOD Zones shall be demarcated in the Master Plan describing overall objective, Land-use and Transport strategy, provisions, and incentives for promotion of TOD.

3.2. The TOD Zone shall be designated up to 800 meters indiameteraround which MRTS or BRTS stations are proposed to be provided. This 800 meters proposed TOD Zone has been bifurcated as under, for the purpose of the developments proposed to be carried out –

(a) Intense TOD Zone : The First 500 meters

(b) Transition TOD Zones : Between 500 to 800 meters

It is to be clarified that 800 meters will be calculated from the boundaries of the MRTS or BRTS stations.

3.3. In areas, where there are no MRTS or BRTS corridors or stations exists, the TOD Zones shall be designated as 200 meters on either side of the Bus Transit System or as demarcated in the Master Plan.

4. High Density Compact Development

4.1. TOD promotes densification in the influence area by providing higher Floor Area Ratio (FAR) and higher population & job density as compared to the area around and beyond the TOD Zone. FAR in the Intense TOD zone and Transition TOD Zone shall be additional 40% and 30% respectively on the maximum permissible FAR. FAR in other public transit corridors shall 40 % of the maximum permissible FAR of the zone subject to achievable maximum FAR of 400 including all. However maximum FAR in all the TOD zones shall not exceed 400. This will promote higher concentration of people within the walking distances of transit station, thereby increasing the ridership of the public transport and resulting in increased fare revenue, pollution and congestion reduction.

Detail calculation of additional FAR and break-up of maximum FAR allowed against different uses and other details are given in the Table 1 and below

Let,

A. For Intense Zone –

Base FAR as specified in Bye Law	= ***A***	
Premium FAR as specified in Bye Law	= ***B***	
Additional Far	= ***C***	= ***40% of (A+B)***
TDR FAR as per TDR Policy	= ***D***	
Total FAR allowable in TOD	= ***M = (A+B+C+D) which shall not exceed FAR 400***	

B. *For Transition Zone –*

Base FAR as specified in Bye Law	= ***A***	
Premium FAR as specified in Bye Law	= ***B***	
Additional Far	= ***C***	= ***30% of (A+B)***
TDR FAR as per TDR Policy	= ***D***	
Total FAR allowable in TOD	= ***M = (A+B+C+D) which shall not exceed FAR 400***	

Note: (1) Additional FAR allowed in plot more than 2000 sq.m abutting a road of 10m subject to maximum 400 FAR.

(2) This additional FAR permissible along the Transportation Corridors and around the nodes as specified in Master plan will not be allowed in areas identified as Eco-Sensitive Zone, Eco-Friendly Zone, Green Belt and other zones, and also in the notified hills and water bodies, even if these areas come under the Transport corridor or influence area of the identified nodes.

4.2. The additional FAR permissible including the TOD FAR over the base FAR shall be treated as premium FAR and shall be charged at the rates as provided in the building bye-laws. The revenue shall be deposited in TOD fund for augmentation of infrastructure in TOD Zone. The TOD account shall be with the Development Authority.

4.3. TDR shall be applicable to TOD zones for densification but shall be limited to FAR 400 in total.

4.4. No Compound wall/ Fencing shall be permissible on the boundary of the plot facing the road and 50% front marginal distance (subject to a minimum of 3.0 meters) shall be kept accessible to the pedestrians. However, it shall be permissible for the applicant to construct/erect fencing on the receded boundary, after leaving the space for pedestrians as specified above.

4.5. Wholesale stores, car dealer showrooms, warehouses, storages, auto service centres, Garages, etc. shall not be eligible for benefits under this TOD policy.

4.6. In case of independent unit/ Bungalow for self-use, such development/ Redevelopment may be allowed within permissible FAR as per the existing Building Bye-laws. The benefits of enhanced FAR provided under TOD Zones shall not apply.

4.7. Encourage amalgamation and reconstitution of plots for utilization of higher FAR with allowing incentives such as relaxation in setbacks upto 15% and with no cap on coverage.

4.8. If maximum of 50% of a plot area or amalgamated plot falls within the transit corridor or influence area of the identified nodes it will qualify for the TOD benefits.

4.9. Higher FAR permissible along the Transportation Corridors and around the nodes as specified will not be allowed in areas identified as Eco-Sensitive Zone, Eco-Zone, Green Belt, as notified in the Master Plan and also in the notified hills and water bodies, even if these areas come under the Transport corridor or influence area of the identified nodes.

4.10. In case of any dispute on interpretation of this policy, decision of the authority shall be considered as final.

5. Diversity

5.1. TOD zone shall be designated as mixed-use zone. Transit stations shall be classified based on typologies and mix of land-use that optimises level of density shall be encouraged. The land use such as mixed land-use, affordable housing, employment nodes and recreational facilities/malls shall be encouraged to support TOD. The land-use such as low density housing, free parking and surface/multi-level parking, petrol pumps/CNG stations, automobile garages, warehouses and cremation grounds that does not support TOD shall be discouraged.

5.2. Mixed land-use integrated development shall be promoted for plot area more than 2000 sq. m. (with combination of housing for various income strata, commercial development, road and other infrastructure). In such developments, minimum 50% shall be allocated for Non-Residential (Commercial, Public and Semi Public and Institutional), and 50% as per existing zoning.In any zone 30% shall be resrved for residential purpose. Charges for premium FAR shall be exempted for affordable housing projects.

5.3. The mixed-use development has to mandatorily incorporate affordable housing and open spaces/circulation areas. In order to promote affordable housing, out of the 30% of residential use, a minimum of 30% of the built-up area shall be utilized for EWS and LIG housingup to 66 sq. m. built-up area in the TOD Zones.

5.4. Open space is critical to offset the impact of dense mixed-use developments and improve the environment and quality of life. Regulations may be framed to mandate the developer to allocate at least10% of the land abutting the road for the development of parks that are accessible to the general public for plot sizes more than 2500 sq.m. subject to fulfilling the provision at Sl. No. 4.6 whichever is more.

6. Destination Accessibility

6.1. In order to improve the destination accessibility, roads along the mass transit corridors and other public transport corridors shall have a minimum ROW of 24 m. At least one road on each side of the station which acts as a feeder road shall have a minimum ROW of 10m. The alignment, ROW and influence zones for Bus Rapid Transit System, Metro Rail Transit System and Bus Transit System shall be marked in each Master Plan of a Town. In TOD influence zones "Urban Design Layouts" shall be prepared.

6.2. High frequency feeder services in terms of regular buses, mini buses, mini vans shall be provided by transit agencies depending upon the commuter demand.

6.3. Park and Ride facilities shall be developed within station area for all the transit stations. Larger park and ride facilities shall be developed at terminal stations as well as stations at outskirts where availability of land is not a major constraint. Concessional parking rates for bicycle parking shall be adopted to promote the use of bicycles as an access mode to transit.

6.4. Direct walking paths to be provided to transit stations without any detour e.g. walking paths through parks, and exclusive skywalks from major trip generators such as malls.

7. Demand Management

7.1. There is a need to increase the supply of paid off-street parking facilities at strategic locations to contain the tendency of on-street parking. Shared parking shall be developed at depots, terminals and multi-modal hubs etc. Parking norms as per the existing building bye laws shall apply.

7.2. Regulation of hawkers is important to reduce the encroachments which obstruct the free flow of pedestrian and vehicular traffic through demarcation of hawker zones into red zone where hawkers are not permitted at all times, amber zone where hawkers are permitted during certain period of time. and green zone where hawkers are permitted all the time. The ULB shall issue to the licenses with small fees to regulate the number of hawkers.

8. Applicability, Fee and Charges

8.1. Additional constructions shall be allowed onunder-construction buildings but not on completed existing buildings, with the additional FAR under this policy. In such a case, the parking norms will have to be fulfilled. Such benefits on under-construction developments shall be allowed only after production of a structural stability certificate of the proposed

constructions from a Registered Structural Engineer on record. The additional floor allowed in such building shall be limited to one additional storey.

8.2. The Setbacks of the building – the existing setbacks including front setback may be allowed for higher floor/floors and necessary relaxation to that extent may be granted by the Authority subject to compliance of all fire requirements and fire NOCs. In any case existing approvedsetbacks shall not be reduced.

8.3. The identification of any new corridors shall be done by the competent authority and the State Government will approve the corridor on the recommendation of the Director, Town and Country planning and such shall be considered as included in the policy.

8.4. All the fees and charges collected shall be in the form of 'Infrastructure Augmentation Charges' and to be kept in the separate head or account as 'Infrastructure Development Fund' (IDF) and the same shall be considered for exclusively utilised for development of TOD Zones and implementation of Transit System Projects. The Authority may work out their own formula for charging cost of providing higher FAR with approval of the State Government.

KAVITHA PADMANABHAN,
Commissioner & Secretary to the Government of Assam,
Department of Housing & Urban Affairs.

Guwahati : Printed and Published by the Director, Directorate of Printing & Stationery, Assam, Guwahati-21.
Extraordinary Gazette No. 1161 - 50 + 10 - 09 - 08 - 2022. (visit at– dpns.assam.gov.in)